El Salvador 2000

A Primer on Legislative and Municipal Elections

The 2000 Elections

Salvadorans will go to the polls on March 12, 2000 to elect a new Legislative Assembly, as well as mayors and municipal councils, and representatives to the Central American Parliament (PARLACEN). Coming on the heels of the March 8, 1999 presidential election, El Salvador will enter the new millennium with a new team of executive and legislative officials at the regional, national and local level. Nine political parties will field candidates for 84 seats in the Legislative Assembly, mayors and municipal councils in 262 municipalities, and 20 seats in PARLACEN. Alternates will also be elected for each of the legislative seats. The Nationalist Republican Alliance (ARENA), currently holds 28 congressional seats, compared to 27 held by the former guerillas of the Farabundo Martí National Liberation Front (FMLN), 11 by the National Conciliation Party (PCN), and 9 by the Christian Democratic Party (PDC). The FMLN controls 21% of the municipal governments (46% of the population), including the city of San Salvador, which is held by an FMLN-led coalition. ARENA, on the other hand, controls 61% of municipalities, but it only represents 44% of the population.

The Latest Polls

Most polls show ARENA in the lead. CID-Gallup reported ARENA has 22.5% of the votes compared to 15.7% for the FMLN. Almost half of the respondents were undecided, would not vote, or did not wish to respond. La Prensa Gráfica, one of El Salvador's two leading newspapers, commissioned a poll of 1200 Salvadorans throughout the country by Unimer Research International which found that 28% would vote for ARENA candidates, followed by 21.5% for FMLN. However, 24.8% had not made up their minds or declined to name a preference. Projecting these results across all fourteen departments, La Prensa Gráfica estimates ARENA will gain 40 seats compared to 31 for FMLN.

A poll by the Central American University's (UCA) University Institute of Public Opinion put the FMLN and ARENA at a virtual tie for the legislature. The FMLN released the results of a poll showing 35.9% for FMLN and 30.3% for ARENA.

In the municipal races, La Prensa reported almost 28% of voters planning to vote for ARENA candidates versus 25% for FMLN. A comparison with a similar poll taken in August, 1999, shows that the FMLN has gained 8 points while ARENA has lost 2.

Electoral Overview

Legislative and municipal elections are held every three years. The PDC won convincing victories in 1985 while its leader, José Napoleón Duarte, served as President, but under the leadership of Roberto d'Aubuisson, ARENA pulled an upset in 1988 and gained a majority in the legislature and municipalities. In 1990, the electoral system was reformed, expanding the National Assembly from 60 to 84 deputies with the goal of expanding representation for smaller parties. In the elections of 1991, six parties fielded candidates for the 84 legislative seats and 262 mayoralities. ARENA seated 39 deputies and won control of 177 municipalities. The PDC received 26 deputies and 69 municipalities. The PCN was third with 9 deputies and 14 municipalities.

The March 20, 1994, election marked a milestone in Salvadoran history. Competing for the first time in electoral politics, the former insurgent FMLN emerged as the main opponent of the ruling ARENA. In the legislative contest, ARENA retained its 39 seats and continued its working majority with the PCN which won 4 seats. The FMLN captured 21 seats. ARENA dominated the municipal council races, capturing 207 municipalities, followed by the PDC with 29 and the FMLN with 15. Of the approximately 2.7 million registered voters, about 1.4 million, or 52%, cast votes.

However, three years later, the FMLN scored stunning gains. The FMLN joined forces with the CD and the Unity Movement (MU), a party based in the Salvadoran evangelical movement, to decisively elect Hector Silva, a coalition candidate, as mayor of San Salvador over the incumbent ARENA candidate. ARENA's majority in the legislature was reduced to a margin of one after the FMLN captured 27 seats in the National Assembly. ARENA candidates won in 61.1% of the municipal races, with FMLN-coalition candidates winning 6 of the 14 departmental capitals and a total of 54 of the 262 municipalities nationwide. PCN and PDC followed with 18 and 15 municipalities, respectively.

The Supreme Electoral Tribunal (TSE)

The 1992 Peace Accords replaced the existing Central Elections Council (CCE) with the autonomous Supreme Electoral Tribunal, known by its Spanish acronym as the TSE. The TSE is administered by five magistrates, three of whom are named by the three political parties with the highest number of votes received in the presidential election, and two of whom are named by the Supreme Court of Justice. The Legislative Assembly approves all five for a five-year term which coincides with the presidential term. It has a staff of over 1000, also filled by party quotas based on election votes. A permanent oversight committee (Junta de Vigilancia), composed of representatives from all the political parties, was created by the 1990 electoral code to give representation to new or smaller parties which were not represented at the magistrate level. While subject to criticism related to its partisan composition and the need for greater professionalism, the TSE is generally respected and recognized as a competent and serious organization. USAID provided $400,000 last year for new computer equipment and software to replace the Y2K non-compliant system.

Voter Participation

The total number of registered voters is approximately 3,265,000 (compared to 3,170,000 registered for the March 1999 presidential election). This represents about 92.5 % of the eligible voters. According to the 1999 electoral registry, 49.3% of registered voters are men and 50.7% are women, and a significant number of all registered voters (over 29%) are located in the Department of San Salvador. The TSE is expediting the issuance of voting cards (called electoral carnets) with mobile offices in hopes of reaching most of the 246,000 citizens who have not appeared to pick up their carnets before March 8, the last day for issuance.

Voter participation rates in El Salvador are among the lowest in Latin America and have been steadily declining in recent years. Voting participation rates in El Salvador (as a percentage of registered voters) in recent elections are as follows:

	Registered	Voted	Participation Rate
1994	2,700,000	1,400,000	52%
1997	3,000,000	1,200,000	40%
1999	3,170,000	1,225,000	41%

Noting that voter participation levels have declined since 1991, the Consortium of Civic Education Non-governmental Organizations (NGOs) promoted debates and other voter mobilization efforts. In an effort to improve the objectivity and quality of media coverage of candidates and their platforms, USAID funded the organization and training of some 20 politically diverse civil society organization in media content analysis. Key print, television and radio outlets are supportive of this initiative. Participating civil society organization are, in turn, using the content analysis worksheet to educate citizens to be more discerning in evaluating news coverage.

In a May 1998 CID-Gallup poll, 69% of respondents said they would be more disposed to vote if polling sites were located closer to their homes. The U.S. government has continued to press for implementation of residential voting, but a pilot plan will not be ready for the 2000 election. Some success has been made, however, in making polling sites more accessible to voters.

The Parties

Popular Name	Full Name	English Translation	Description

ARENA	Alianza Republicana Nacionalista	National Republican Alliance	Founded in September 1981 by Roberto d'Aubuisson. Alfredo Cristiani, party leader.
FMLN	Frente Farabundo Martí para la Liberación Nacional	Farabundo Martí National Liberation Front	Founded in 1980 as an opposition to the PDC-military coalition government. Achieved legal recognition in December 1992. Fabio Castillo, general coordinator.
PDC	Partido Demócrata Cristiano	Christian Democratic Party	Founded in 1960 as a moderate government opposition party. Beset by internal wrangling after the death of its best-known figure, José Napoleon Duarte. René Aguiluz, secretary general.
PCN	Partido de Conciliación Nacional	National Conciliation Party	Founded in 1961 and ruled the country in alliance with the military until 1979. Ciro Cruz Zepeda, secretary general.
CDU	Centro Democrático Unido	United Democratic Center	Founded in 1987 by the merger of three groups formerly under the FMLN umbrella. Ruben Zamora, secretary general.
USC	Unión Social Cristiana	Social Christian Union	Formed in 1995 by the union of three parties. Abraham Rodríguez, president.
PLD	Partido Liberal Democrático	Liberal Democratic Party	Founded in October 1994 by former ARENA ally, Kirio Waldo Salgado, who remains as president.
PPL	Partido Popular Laborista	Popular Labor Party	Founded in 1996. José Villanova, secretary general.
PAN	Partido Acción Nacional	National Action Party	The newest political party; contesting elections for the first time. Gustavo Salinas, secretary general.

Mayor of San Salvador

The fight for control of the highly visible capital city will be closely watched, not least because the mayor's post is often considered a springboard for the presidency. The incumbent mayor, Hector Silva, one of the country's most respected political leaders, has achieved high marks since taking office three years ago. ARENA drafted Luis Cardenal, head of the Salvadoran Chamber of Commerce and Industry. His candidacy will test the reaction of voters to a business leader during an economic downturn, and establish whether he enjoys sufficient recognition to run against the high-profile mayor. Other candidates include Rafael Montalvo for PAN, Ricardo Martínez for PDC, and Marta Castro Araujo for PNC. Most polls show Silva with a commanding lead.

Municipal Elections

In the "winner take all" method at the local government level, mayors and representatives on municipal councils will be elected in all of El Salvador's 262 municipalities. The party's slate of candidates is announced before the election and voters vote for one party. According to the Electoral Code, each municipal council must have a minimum of 4 members, including the mayor, plus 4 substitutes. The number of municipal council representatives varies depending on the population of the town they represent. The majority of towns have one mayor and 6-8 municipal council representatives (with four substitutes for each municipal council). In total there will be 2,892 municipal council representatives elected. Each party presents its slate of candidates, including the mayor and council members, to the TSE, and they are elected

as a slate.

Voters will also elect 20 representatives to the Central American Parliament (PARLACEN), along with 20 substitutes. Those elected will take office on October 28, 2001.

Voter Registration

The process for registering to vote with the TSE is fairly straightforward. In order to register, Salvadorans must present themselves at any of the local TSE offices throughout the 262 municipalities, with one form of identification, and fill out a one-page form (Solicitud de Inscripción al Registro Electoral-SIRE). This form is then sent to the central TSE office in San Salvador where staff attempts to match the request to a birth certificate on file. If the birth certificate is found, the name is added to the electoral roster, the application is approved and sent back to the TSE local office. The prospective voter must then return to the local TSE office, have a picture taken, and receive the electoral carnet.

However, delays and technical problems in the registration, notification, and pick up of voting cards are not uncommon. Although the new electoral code requires the TSE to process all applications for voting cards within 30 days, it has not always notified citizens when their application was approved. Consequently, citizens waste time returning to the TSE office until their carnet is issued. Salvadorans without valid identification find it difficult to become enrolled on the electoral roster. Those without birth certificates have to request that the mayor of their municipality send these documents to the central TSE. In the past, local mayors slowed efforts to register voters and return voting cards. The slow pace of purging the voters' registry of duplicate entries and dead Salvadorans has also been a concern.

The multi-partisan Electoral Oversight Board and the Consortium of Civic Education NGOs brought these problems to the attention of the TSE and now report that voters are experiencing fewer and shorter delays in completing tasks identified in the elections calendar. USAID has committed the equivalent of $4.5 million in local currency to support the creation of the National Civil Registry that will improve and facilitate voter registration in the future.

The TSE administers the elections through a series of boards at three levels, each with three members (president, secretary and "vocal"): junta electoral departamental (JED); junta electoral municipal (JEM) and junta receptora de votos (JRV). The members of the JEDs and JEMs are named by the TSE. These boards are temporary in nature and established only during a period of elections.

JRVs are deployed at each voting table to oversee the vote. Each JRV has a minimum of 3 members plus their alternates, and a maximum of 6 members and their alternates. Three members represent the three major parties with the largest number of votes in the last election; the rest are raffled among the other contending parties. JEMs also supply the JRVs with the necessary materials, receive and establish the vote count and otherwise ensure the JRVs conduct the vote according to the law. Each JED is responsible for tabulating and declaring the validity (or not) of the municipal elections for the cities in the department. Each JED also sends the results of the legislative elections to the TSE and generally ensures compliance with the electoral law.

Political parties can designate observers -- at the national, departmental, municipal or voting table level -- to monitor the elections. Civic committees also can designate observers for those local elections in which they are participating. However, only the observers designated by political parties and authorized by the TSE, can be close to the JRV, including during the vote count, and can make objections as provided for in the law.

Voting precincts usually open at 7:00 am after the JRV ascertains that the table and all materials are ready. Upon arriving at the JRV, a voter must present his/her electoral carnet to the JRV. A JRV official will verify the name and registration number against the registry and ask the voter to sign the registry. Illiterate voters sign by an inked thumbprint. The voter is then given a crayon and the ballots (one each for assembly and mayor), each of which is folded in four and signed on the back by the President of the JRV. After receiving the ballots, the voter goes behind a voting cubicle and marks his or her preferences. The voter then folds the ballots and deposits each in the corresponding clear plastic bag. The voter's finger is then dipped in indelible ink to safeguard against multiple voting. Voting precincts usually close at 6 p.m., although each JED has the authority to determine (prior to election day) the closing time for voting tables under its jurisdiction.

When the voting is completed, the JRV president opens the bags containing the ballots and unfolds them. The votes are then counted by the vocal of the table. The number of ballots is compared with the number of people who have voted, according to the electoral list of the precinct. The votes are then classified by party for each electoral contest (national assembly and mayor) and read out loud by the president of the JRV who then passes them one-by-one to the vocal, other members of the JVR, and finally to the secretary. If everyone agrees on who receives the vote cast on that ballot, the

vote is grouped with others for that electoral contest. If someone does not agree, a vote is taken among the JRV officials to determine its validity. (The electoral law states that if the vote results in a tie, the ballot is nullified.)

Once the counting is complete, the vocal announces the results to those present. An acta is then completed for each electoral contest. An acta contains the complete election results, including the number of null and blank (abstention) votes. All members of the JRV sign the actas. The actas are then transported and the results communicated to the JEMs, JEDs and the TSE as provided for in the electoral law.

International Observer Missions

As with prior elections, there will be several election observer delegations. The Consortium of Civic Education NGOs will organize a coordinated effort of national and international NGO election observers. The TSE will sponsor 12 international observers in accordance with the Tikal Protocol. The Organization of American States (OAS) will not have observers this time; however, several diplomatic missions may field local teams, something that the U.S. Mission has done with success in the past.

Election Results 1985 to 1999

Percent of Vote by Party					
	ARENA	PDC	PCN	FMLN	OTHER
1985 Assembly Elections	38.0	52.3	9.4		
1988 Assembly Elections	47.9	35.2	8.5	8.3	
1989 Presidential Elections	53.8	36.4	4.0	5.7	
1991 Assembly Elections	44.3	28.0	9.0	18.7	
1994 Presidential Elections	49.0	16.4	5.4	24.9	4.3
1994 Assembly Elections	45.0	17.9	6.2	21.4	9.5
1997 Assembly Elections	35.4	7.9	8.1	34.3	14.3
1999 Presidential Elections	51.9	5.7	3.8	29.0	9.6

Legislative Assembly Seats by Party					
Year	ARENA	PDC	PCN	FMLN	OTHER
1985	13	33	12	2	
1988	32	21	6	1	
1991	39	25	7	13	
1994	39	18	4	21	2
1997	28	8	9	27	12

USAID Elections Support

USAID has supported the electoral process through upgrading the national registry and nation-wide seminars—led by local NGOs—to enable a wide spectrum of Salvadorans to participate in discussions of needed electoral reforms. The TSE has undertaken voter registration campaigns, contracted for ballot printing, and upgraded computer equipment and software to improve the efficiency and timeliness of preliminary electoral results.

The Embassy and USAID continue to press Salvadoran political leaders on the implementation of residential voting and other electoral reforms. Unfortunately, in spite of several attempts at an agreement, the political leaders have not moved forward.

Key Dates in the Electoral Calendar

Date	Activity
November 19, 1999	Elections called for by TSE
February 17, 2000	Political campaigning begins
February 25, 2000	Last day to publish poll results
March 8, 2000	Last day to receive voter card
March 9, 2000	Political campaigning ends
March 12, 2000	General elections
May 1, 2000	Legislators, mayors and local officials sworn-in